

REMARKS**I. STATUS OF THE CLAIMS**

New claims 54 and 55 are added. Support for the new claims is found, for example, in FIG. 6 of the present application.

In view of the above, it is respectfully submitted that claims 8, 10 and 24-55 are currently pending. Of these, claims 40-47 are allowed, and claims 27, 28, 31, 32, 35-36 and 38-39 are "objected to".

**II. REJECTION OF CLAIMS 8, 10, 24-26, 29-30, 33-34, 37 AND 48-53
UNDER 35 USC 102(E) AS BEING ANTICIPATED BY
NAGAKUBO (US PATENT NO. 5,900,621) AND UNDER 35 USC 102(B)
AS BEING ANTICIPATED BY NAGAKUBO (JP 10-123471)**

In the present invention as recited, for example, in claim 26, an optical modulator receives an input light and modulates the received input light in accordance with a modulation signal. As recited, for example, in claim 26, an attenuator attenuates intensity of the input light before being received by the optical modulator in accordance with intensity of the modulation signal. See also claims 8, 24, 29 and 34, which recite somewhat similar features.

For example, in FIG. 6 of the present application, an optical attenuating unit 31 attenuates intensity of the input light before being received by an optical modulating unit 11 in accordance with intensity of the modulation signal. Please note the "modulation signal" in FIG. 6.

Moreover, in the present invention as recited, for example, in claim 30, an optical modulator modulates an input light in accordance with a modulation signal, to thereby output a modulated light. As recited, for example, in claim 30, an attenuator, positioned downstream of the optical modulator, attenuates intensity of the modulated light output from the optical modulator in accordance with intensity of the modulation signal. See also claims 10, 25, 33 and 37, which recite somewhat similar features.

For example, in FIG. 6 of the present application, the "dotted box" indicates positioning of optical attenuating unit 31 downstream of optical modulating unit 11

In the Office Action, the Examiner refers to FIGS. 14 and 16 of Nagakubo.

FIGS. 14 and 16 of Nagakubo disclose the use of an optical modulator 2. Optical modulator 2 modulates an input light received from a light source 1 in accordance with a modulation signal (labeled as "input" in the figures of Nagakubo) provided to a modulation input

terminal 2a. See, for example, column 1, lines 45-52, of Nagakubo.

However, in Nagakubo, the intensity of the modulation signal (labeled "input" in the figures of Nagakubo) is NOT used to control the intensity of the attenuator 20 in FIG. 14 or the attenuator 22 in FIG. 16 of Nagakubo. Instead, the attenuator 20 in FIG. 14 and the attenuator 22 in FIG. 16 of Nagakubo are controlled in accordance with the output of a gain control circuit 12.

Please note that new claims 54 and 55 are added herein. These claims specifically recite a detector detecting intensity of the modulation signal, and that the attenuator attenuates in accordance with the detected intensity of the modulation signal. See, for example, FIG. 6 of the present application. It is respectfully submitted that Nagakubo does not disclose or suggest such features.

In view of the above, it is respectfully submitted that the rejection is overcome.

III. CONCLUSION

In view of the above, it is respectfully submitted that the application is in condition for allowance, and a Notice of Allowance is earnestly solicited.

If any further fees are required in connection with the filing of this response, please charge such fees to our Deposit Account No. 19-3935.

Respectfully submitted,

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